

excess of ~~9,639~~ 9,641 regular positions and ~~171.35~~ 174.35 contractual full-time equivalents paid through special payments payroll (defined as the quotient of the sum of the hours worked by all such employees in the fiscal year divided by 2,080 hours) of the total authorized amount established in the budget for MDOT at any one time during fiscal 2003. The level of ~~171.35~~ 174.35 contractual full-time equivalents may be exceeded only if MDOT notifies the budget committees of the need and justification for additional contractual personnel due to:

- (1) business growth at the Port of Baltimore and Baltimore/Washington International Airport which demands additional personnel; or
- (2) emergency needs which must be met (such as transit security or highway maintenance).

The Secretary shall use the authority under Sections 2-101 and 2-102 of the Transportation Article to implement this provision. However, any authorized job or position to be filled above the ~~9,639~~ 9,641 regular position ceiling approved by the Board of Public Works shall count against the Rule of 500 imposed by the General Assembly. The establishment of new jobs or positions of employment not authorized in the fiscal 2003 budget shall be subject to Section 7-236 of the State Finance and Procurement Article, and the Rule of 500.

It is the intent of the General Assembly that funds dedicated to the Transportation Trust Fund shall be applied to purposes bearing direct relation to the State transportation program, unless directed otherwise by legislation. To implement this intent for the Maryland Department of Transportation in fiscal 2003, no commitment of funds in excess of \$250,000 may be made nor may such an